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November 16, 2021

VIA ECF

The Honorable Denise L. Cote
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1910
New York, NY 10007

Re: *FTC, et al. v. Vyera Pharmaceuticals, LLC, et al.*, Case No. 1:20-cv-706 (DLC)

Dear Judge Cote:

On behalf of Martin Shkreli, I write to join in Kevin Mulleady's letter motion for immediate access to all trial evidence submitted by the parties as part of the trial in this action (ECF 592, the "Mulleady Motion").¹ For the same reasons set forth in the Mulleady Motion, Mr. Shkreli seeks immediate access to all trial evidence submitted by the parties to protect Mr. Shkreli's due process rights to a full and fair opportunity to prepare for and defend against the claims brought against him by plaintiffs.

As set forth in the Mulleady Motion, Mr. Shkreli has been prohibited from reviewing the vast majority of the evidence that plaintiffs have chosen to use against him at trial, as well as evidence that defendants may use in their defense. Continuing to prohibit Mr. Shkreli from being allowed to fully prepare for his defense violates his due process rights.

Accordingly, Mr. Shkreli respectfully moves the Court for immediate access to all trial evidence. We will be prepared to discuss these issues at today's conference with the Court.

Respectfully submitted,

/s/ Christopher H. Casey
Christopher H. Casey

¹ Mr. Shkreli incorporates by reference the arguments set forth in the Mulleady Motion except to the extent that Mr. Mulleady seeks an order allowing him to be present for the presentation of all evidence at the live portion of the trial pursuant to Federal Rule of Evidence 615, as Mr. Shkreli will not be attending the trial.

Duane Morris

The Honorable Denise L. Cote
November 16, 2021
Page 2

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CC: All Counsel of Record (*via ECF*)